

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHAIZON I. KING,

Case No. 2:23-cv-00508-JAD-VCF

Plaintiff

ORDER

v.

CALVIN JOHNSON, et al.,

Defendants

On April 6, 2023, pro se Plaintiff Shaizon I. King, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 and filed an application to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). Plaintiff's application to proceed *in forma pauperis* is incomplete because Plaintiff did not use the Court's approved form application and did not include an inmate trust fund account statement for the previous six-month period or a financial certificate with the application. (See ECF No. 1).

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the

1 filing fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C.
2 § 1915(b).

3 Accordingly, and for the reasons stated above,

4 It is therefore ordered that Plaintiff's application to proceed *in forma pauperis* (ECF
5 No. 1) is denied without prejudice.

6 It is further ordered that Plaintiff has **until June 12, 2023** to either pay the full \$402
7 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three
8 required documents: a completed application with the inmate's two signatures on page 3,
9 a completed financial certificate that is signed both by the inmate and the prison or jail
10 official, and a copy of the inmate's trust fund account statement for the previous six-month
11 period.

12 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
13 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
14 to refile the case with the Court, under a new case number, when Plaintiff can either file
15 a complete application to proceed *in forma pauperis* or pay the required filing fee.

16 The Clerk of the Court is directed to send Plaintiff Shaizon I. King the approved
17 form application to proceed *in forma pauperis* for an inmate and instructions for the same,
18 and to retain the complaint (ECF No. 1-1) but not file it at this time.

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20 DATED this 11th day of April 2023.

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UNITED STATES MAGISTRATE JUDGE
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